

The Foreign Corrupt Practices Act: Handling Increased Global Anti-Corruption Enforcement

Tuesday, November 11, 2008 - New York, NY

- Breakfast and Registration** 8:30 a.m.
- Optional Breakfast Briefing:** 8:30 a.m. – 8:50 a.m.
Overview of the Foreign Corrupt Practices Act
A nuts and bolts overview of the FCPA
- A short history of US law proscribing bribery of foreign officials to obtain or retain business
 - Jurisdiction: issuers, foreign subsidiaries, individuals, foreign corporations
 - Legal requirements and application
 - Penalties
- Presenter:** Amy Burgert, Mayer Brown LLP
- Introduction and Opening Remarks** 8:50 a.m.
- Update on Enforcement Trends and Case Studies** 9:00 a.m. – 10:00 a.m.
- Recent SEC and DOJ cases and activities
 - Summary of enforcement trends
 - Monitors and how to avoid them
 - Penalties, fines and disgorgement
 - Prosecution of individuals
 - Case studies: Entertainment expenses, facilitating payments and more
- Presenters:** Simeon M. Kriesberg, Mayer Brown LLP
James Parkinson, Mayer Brown LLP
- Break** 10:15 a.m. – 10:30 a.m.
- Effective Compliance** 10:15 a.m. – 11:45 a.m.
- Preventative measures
 - Pre-acquisition due diligence
 - The role of internal investigations
 - Activities that increase risks for corporations:
 - Acquisition of foreign subsidiaries – focus on due

- diligence
- Use of third parties to conduct business – consultants and outside agents
- Permissible payments for hospitality, gifts and entertainment

Presenters: Bryan Daly, Mayer Brown LLP
Z. Scott, Mayer Brown LLP

Break and Serve Lunch

11:45 a.m. – 12:00 noon

Working Lunch

12:00 noon – 1:30 p.m.

Effective International Internal Investigations

- Privilege and privacy issues across borders
- Changes in DOJ’s position (“Filip Memo”) and proposed legislation (Attorney-Client Privilege Protection Act of 2008) affecting corporate prosecutions
- Parallel proceedings
- Coordination among regulatory agencies across borders

Presenters: Christof Gaudig, Mayer Brown LLP
Andrew Legg, Mayer Brown LLP
Claudius Sokenu, Mayer Brown LLP

Adjourn

1:30 p.m.